

MUNICIPAL SERVICES BENEFIT UNIT PROGRAM

STREET LIGHTING



August 2008



Mission Statement:

To assist property owners in unincorporated areas of
Seminole County with the opportunity to acquire essential
public health and safety improvements for their
communities

Rev. 05

The following information is offered to help applicants understand the process of establishing an MSBU and the resulting roles and responsibilities once an MSBU is established.

For additional information regarding the community improvements available through the MSBU Program, active MSBUs, and various services available on-line, please visit the MSBU Program website:

<http://www.seminolecountyfl.gov/fs/msbu/index.asp>



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General Information

MSBU Program and Non-Ad Valorem Assessments

The **MSBU Program of Seminole County** administers the non-ad valorem assessment districts for various local improvements and services within the unincorporated boundaries of Seminole County. A non-ad valorem assessment district as established in Seminole County is commonly referred to as an MSBU (Municipal Service Benefit Unit). Through the establishment of an MSBU, property owners can acquire essential improvements to neighborhood common areas, infrastructure, and facilities which serve essential public purposes. Community improvements financed via non-ad valorem assessment in Seminole County include collection/disposal services for residential household solid waste, residential street lights, aquatic weed control, lake restoration, retention pond renovation and constructed improvements such as road paving and drainage, sidewalk repair and water/sewer transmission line extension.

The cost for providing the improvements is allocated and assessed to the benefiting properties on an equitable cost sharing basis. The per property assessment associated with an MSBU is based on the cost to provide and/or maintain the improvement, the selected benefit unit base, the number of benefiting properties, and the benefit unit(s) allocated to each participating property. Through the MSBU Program, non-ad valorem assessments are levied by the Board of County Commissioners (BCC). The non-ad valorem assessments are collected through the annual property tax bill as indicated in Florida Statutes [Chapter 197](#) at 197.3632.

The MSBU Program operates according to guidelines as set forth in the Florida Statutes and the Seminole County Administrative Code.

Florida Statutes: <http://www.leg.state.fl.us/Statutes/index.cfm>

- [Chapter 125](#) County Commission Powers and Duties (primarily sections .01 and .0101)
- [Chapter 170](#) Making [and assessing] Local Municipal Improvements; and
- [Chapter 197](#) Tax Collections, (primarily sections 197.292, .322, .363, .3631, and .3632).

Seminole County Administrative Code:

http://www.seminolecountyfl.gov/ca/admin_code/

- [Section 22.10](#) [PDF](#) of MSBU Program Operating Guidelines and
- [Section 20.37](#) [PDF](#) of MSBU Program Fee Schedule.

In addition to the above guidelines, the policies and practices of the MSBU Program are further defined according to specific [Ordinance and/or Resolution](#) documents used to govern specific MSBUs. The MSBU Program uses two main funding formats for assessments – fixed term and annually adjusted. The fixed term format is related to MSBUs that require extended financing over a period of years in order to enhance the affordability to property owners for project repayment. The annually adjusted format is used for MSBUs that do not have a set closure date and for which assessments are calculated annually based on projected cost to provide continuation of the service or improvements in the forthcoming year(s). For example, the assessments for street lighting or aquatic weed control improvements are annually adjusted assessments; while lake restoration and road paving are typically fixed term.

MSBU Process and Procedures

Street Lighting Improvements

Utilizing the MSBU funding format is a common practice in Seminole County for street lighting improvement projects designed to benefit Seminole County residents. Street lighting projects serve public purpose by illuminating roadways and sidewalks; thereby, improving night-time safety. The creation of an MSBU, as well as on-going efforts to provide improvements requires community involvement and support. Routine operations and management of street lighting MSBUs are governed locally through the Seminole County Consolidated Street Lighting District Ordinance. This Ordinance can be found on-line at: http://www.seminolecountyfl.gov/fs/pdf/csl_08.pdf and is hereinafter referred to as the "Ordinance". The improvement efforts are funded by assessments levied against benefiting parcels. By definition of benefit, all parcels located along the roadways and parcels that would use the lighted roadways for ingress/egress are included in street lighting improvement MSBUs and are, therefore, assessed a cost share for the improvements provided.

The street lighting equipment (fixtures/poles) provided via a Seminole County street lighting MSBU is owned and operated by franchised power companies. Lighting equipment is installed and maintained by power companies on public property or with rights to a utility easement for private property. Seminole County serves as an intermediary between power companies and benefiting properties, thereby, collecting rental fees and the associated operating costs from benefiting property owners and making payment to power companies.

Evaluating the needs and recommendations for street lighting improvements includes the determination of locations of proposed lighting equipment. Equipment analysis is completed by power company engineers through the design of lighting plans, in accordance with Illuminating Engineering Standards (IES), to produce sufficient illumination on streets of neighborhoods to assist with nighttime safety.

Application may be made by property owners, homeowner associations, management companies, developers or other interested parties. Applications are accepted from January 1 through June 30. Applications received during this timeframe are eligible for equipment installation and assessment in October of the following calendar year. Applications submitted August 1 through December 31 may be held for processing after January 1.

Basic Steps to Establish an MSBU

(Each of these steps is explained further on the following pages.)

	STEP	RESPONSIBILITY
I.	Request Application Packet	Property Owners
II.	Complete & Submit Application	Community Liaisons
III.	Review & Conduct Project Analysis	MSBU Program Power Company
IV.	Poll Community – Petition Distribution	MSBU Program
V.	Evaluate Petition Results and Determine Course of Action	MSBU Program Community Liaisons
VI.	Public Hearing – Adoption of Ordinance	Board of County Commissioners (BCC) MSBU Program Community Liaisons Property Owners
VII.	Implement Service/Improvement	
	• Agreements & Lighting Plan	Power Company
	• Review & Execute Agreements	MSBU Program County Manager/BCC
IX.	Assessment & Operation Management	MSBU Program

Detailed Procedures

STEP I. Request Application Packet

Application packets detailing the MSBU creation process are available from the MSBU Program and will be provided upon request. Applications packets are designed to provide an overview of the process according to the type of project proposed. The application packet includes detailed information regarding the MSBU Program, the steps for establishing an MSBU, the related application forms and answers for frequently asked questions.

Applications to create an MSBU will be considered given the following criteria is met:

- The property that is to be benefited by the improvement is located within the unincorporated area of Seminole County;
- The property upon which the improvement is to be made is publically owned, leased or granted easement;
- The proposed boundary (properties included) contains a minimum of two distinct taxable (or platted) parcels;
- The proposed project is a project type as authorized by the BCC; and
- The proposed project meets the MSBU Program guidelines for public property and/or serves acceptable public purpose.

Requests for application should be directed to the MSBU Program:

On-Line: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.asp>

Phone: (407) 665-7178

Office: 1301 East 2nd Street, Sanford, FL 32771-1468

When submitting an application request, be certain to identify the geographic and descriptive location of the desired improvement (i.e., community, subdivision, or street) and the type of improvement proposed (i.e., aquatic weed control, street lighting, etc).

STEP II. Complete & Submit Application

Application deadline and processing restrictions are related to statutory provisions, the County Administrative Code and MSBU Program guidelines. Each MSBU project type has a distinct application form and application fee. The application form is the last document located at the end of the packet. The fee schedule is provided on the page noted in the table of contents. Assistance is available from the MSBU Program should the applicant have questions or concerns regarding the application form or process. Application may be made by property owners, homeowner associations, management

STEP II. Complete & Submit Application (continued)

companies, developers or other interested parties. Applications for street lighting projects are accepted from January 1 through June 30. They are eligible for equipment installation and assessment in October of the following calendar year. Applications submitted August 1 through December 31 may be held for processing after January 1.

The application form is designed to communicate the following:

- **Project type:** Is this for a new installation, an upgrade to existing equipment or a transfer of existing equipment?
- **Attachments:** Please indicate each document attached. If you have additional documentation, describe it in "Other". A complete documentation package with the application results in a more rapid application review.
- **Subdivision and Parcel ID:** Enter the name of the subdivision and parcel ID(s). Parcel IDs are available at the Property Appraiser (407-665-7506) or at www.scpafl.org/scpaweb05/index.jsp.
- **Liaison Information:** Enter all indicated information for the Liaison. Ideally, a secondary Liaison will also be identified.
- **Applicant Status:** Is the applicant a builder or developer, individual home owner, or HOA/Property Management Company?
- **Documentation (platting):** Insert identifying plat information or provide indicated alternate information if property is not platted. Copies of plats and section maps are available at the Planning Department (407-665-7775).
- **Current street lights:** When were the existing lights installed or when are lights scheduled to be installed? If there are no lights installed nor any scheduled installation date, please indicate this is the initial application.
- **Participation:** Provide estimate of approximate percentage of benefiting property owners who are interested in attending relevant meetings.
- **Installation/Cost Financing:** State detailed reasons or conditions for requesting and/or qualifying for any funding assistance that may be available from the County.
- **Equipment Choice:** Enter the type of pole and light desired if known. A list of equipment types is provided with the application packet to the applicant dependent upon applicant's lighting preference and objective. For example, if applicant desires decorative lights, several styles are available; however, for non-decorative lighting, only one option exists.

STEP II. Complete & Submit Application (continued)

- Power Company: Enter the power company servicing this area.
- Comments: Provide comments pertinent to the street lighting request.
- Signature Block: Enter information and sign the application.

Describing the desired scope of services in detail and selecting desired equipment is critical to the development of initial review of the proposed MSBU, the engineering plan, and subsequent and cost estimates. Community participation in the development of the scope of services is highly encouraged. Copies of recorded plats and section maps may be obtained from the Planning Department, located on the first floor of the County Services Building. For additional information please call the Planning Department at (407) 665-7441.

At this stage of the application process a cost estimate is available as to rental and operating cost for specific light fixtures and poles. However, it is not possible to provide the applicant with an estimate of total costs inclusive of installation cost and extended operating cost based on number of lights required. Cost estimates are only available after the power company has completed an engineering analysis (see Step III).

All questions or concerns regarding cost sharing decisions, and participating properties should be discussed with the MSBU Program prior to submitting the application. The MSBU boundaries (geographic area to be assessed; represented by listing of parcels) must be continuous. Enclaves are not allowed if their purpose is to remove a parcel(s) because the property owner is not in favor of establishment of the MSBU. Boundaries for street lighting MSBUs generally consist of an entire subdivision, as the lights are intended to be of benefit to the community as a whole. Unless otherwise exempted by Ordinance, all properties that are located within the confines of the boundaries will be included in the list of participating properties. Association owned common land and parcels with a taxable value of less than \$100 are examples of exempt properties to be excluded in the assessment calculation.

New MSBUs that are comprised of non-commercial owners have the option of paying the installation/construction costs for the street lighting at the time of MSBU establishment, on the first year's assessment (after the establishment of the MSBU), or through financing over a several year payback term. Commercial owners, such as developers, are required to coordinate installation directly with the power company or submit the payment of installation costs for the new developments prior to the project implementation. Installation payment will be due after an MSBU is created and prior to scheduling equipment installation.

STEP II. Complete & Submit Application (continued)

The creation of an MSBU relies heavily on the involvement of the community liaisons. The liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending scheduled site visitations, encouraging petition response, and other project support activities. The community representatives that serve as primary and/or secondary liaisons are very important to establishing an MSBU and to ensuring project completion occurs per community expectations.

When complete, the application should be submitted to the MSBU Program. Mailing and/or delivery location is noted on application form. The nonrefundable application fee (per the application fee schedule [see Table of Contents for page number of schedule]) must be made payable to “Seminole County BCC” and submitted with the application. Although the application fee is non-refundable, provisions for the crediting of the application fee back to the applicant who paid the fee are found in the Seminole County Administrative Code (http://www.seminolecountyfl.gov/ca/admin_code/) as follows:

“The application fee shall be credited towards the assessment assigned to the applicant’s benefiting property....if the requested MSBU is established by the Board, the requested improvement is completed, and assessments are collected from the benefiting property owners.”

STEP III. Review Application & Conduct Project Analysis

After receipt, the MSBU Program will confirm that the application is complete and sufficient to evaluate feasibility of the requested improvement. The MSBU Program will validate the properties that serve to benefit from the improvement and will formulate the boundary description for the geographic area associated with the proposed MSBU.

At this point, the Applicant/Liaison should identify/confirm the type of street lighting equipment from the list that was forwarded with the application packet (see Step II). The MSBU Program will provide these choices to the appropriate power company. A power company engineer will then determine the lighting configuration, installation requirements, and applicable costs for installation, equipment rental and electrical utility. The power company’s cost information will be used by MSBU to calculate the estimated annual assessment amount which will be used in STEP IV.

The MSBU Program staff or the Project Manager are available to conduct an informative meeting with the property owners to discuss the MSBU process if requested. Notification of any **County-sponsored** meetings will be coordinated through the MSBU Program. A public meeting providing an overview of the MSBU Program activities and the proposed project is highly recommended. The MSBU Program requests the opportunity to review (prior to its circulation) any correspondence relating to the proposed establishment of the MSBU.

STEP IV. Poll Community - Petition Distribution

The BCC requires formal confirmation that level of community support for an MSBU is at least 55%. A petition for improvement document, prepared by the MSBU Program, is used as a formal mechanism for determining the level of the community support for

STEP IV. Poll Community - Petition Distribution (continued)

establishing a street lighting MSBU. The petition document defines details of the proposed MSBU: types of equipment, estimated annual cost of operation, other details specific to the MSBU and assessment calculation, and provides for property owner response relative to creating an MSBU.

Individual petition documents are mailed to property owners by the MSBU Program, and may be distributed by the MSBU Program to the applicant or community liaisons for follow-up with property owners. Owners are requested to respond by 1) designating a “For” or “Opposed” response on the petition document; (2) providing owner signature; and (3) returning the completed form to the MSBU Program office prior to the stated deadline. All current owners or the designated trustee of a parcel must sign the petition for the response to count towards the 55% requirement. Once submitted, a petition document may not be withdrawn. Property owner response for those properties that do not return the petition document will be counted as “Opposed” when calculating the level of community support.

Petition documents are typically in circulation for a 30-day timeframe. The deadline for submitted response is noted on the document. However, the deadline may be extended if requested by the applicant/liaisons, approved by the MSBU Program, and posted to the MSBU Program website prior to expiration of the initial deadline. Up to two extensions, each limited to two additional weeks, are typically granted. Extensions are primarily granted to provide clarity regarding the level of community support. Petition response will be tracked and available for summary or review throughout the petitioning period. If a **Developer** owns 100% of the property to be included in a street lighting MSBU, the petition process is not necessary. In such instances, the application requesting the establishment of the street lighting MSBU will serve as confirmation of owner support.

Please note: Projects requiring the conveyance of special easements, leaseholds or deed transfer to meet public ownership criteria have additional considerations. In such situations, voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is generally a separate consideration determined independent from the petition process (which requires only a majority support). If agreement/conveyance is not obtained from 100% of such owners, the project scope may require modification to accommodate limited status, and/or project rejection. Continuance of the proposed project is dependent on specific projects and their related requirements. Owner signature on related agreement documents must be obtained prior to presenting an MSBU creation request to the BCC.

STEP V. Evaluate Petition Results & Determine Course of Action

Petition documents received by the MSBU Program will be reviewed for acceptability. All current owners of a parcel or the designated trustee must sign the petition for the ownership and parcel to count towards the 55% requirements. Owner response must

STEP V. Evaluate Petition Results & Determine Course of Action (continued)

be clearly identified and consistent with the intent of the petition document. Handwritten or other forms of commentary added to the petition document that alter the intent of the information conveyed in the petition document will be rejected and returned to owner of record. Incomplete petition documents will be rejected and returned. An explanatory cover memo will be provided with the returned petition document so that owner has opportunity to complete and resubmit a petition response. Submittal deadlines apply to rejected petition documents.

The results of the petition process will be posted to the MSBU Program website. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the continued activities. If support is deemed insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

Provided the community support is sufficient to continue, the MSBU Program will request BCC authorization to conduct a public hearing for adopting an ordinance establishing the proposed MSBU. **Please note** that once consolidated petition results are accepted and a public hearing is authorized, the petition is no longer relevant to final determination of the BCC to proceed (or not) with a project/MSBU. The final determination of scope and feasibility of the project and creation of the MSBU is made by the Seminole County BCC.

If petition support is less than 55%, the effort will be noted as insufficient support. Re-petitioning is permitted once per calendar year and no more frequently than once every six months following submittal of a new application and non-refundable processing fee.

STEP VI. Public Hearing - Adoption of Ordinance

When the amended Consolidated Street Lighting Ordinance and all documents are in order, including all required easements, agreements, et al., and a public hearing date is scheduled, legal Notice(s) will be published in a local newspaper. Notification of the public hearing will be mailed to the owner of record for all properties included in the boundary of the proposed MSBU. A copy of the proposed Ordinance will be available for review at the office of the Commission Record office located in the County Services Building at 1101 East 1st Street, Sanford, FL.

The Ordinance, and if applicable, a secondary "MSBU Equipment Installation Ordinance" for construction/installation will be proposed for adoption during the public hearing. The Ordinance encompasses previously the established MSBUs with the newly proposed MSBUs added. Within the Ordinance, the governing of each MSBU is established and the assessment authorization is provided. A secondary MSBU Ordinance is formalized and established only when there are installation expenses which will be financed by Seminole County with repayment over a period of years.

STEP VI. Public Hearing - Adoption of Ordinance (continued)

For ongoing MSBUs, such as street lighting, that require annual rate adjustment, an estimated assessment will be documented in the ordinance and will be granted fluctuation according to ordinance restrictions and/or operating expenditures necessitated in establishing and/or maintaining the street lighting.

The Ordinance will be proposed for adoption during the public hearing. Once the petition results are presented to the BCC at the public hearing, the consolidated petition is no longer relevant to the final determination by the BCC to proceed (or not proceed) with the requested MSBU. The final determination of the scope and feasibility of a new project will be determined by the BCC. During the public hearing, the BCC may consider comments, objections, and information relevant to the establishment of the MSBU. The County Commissioners will adopt or deny the Ordinance. If the Ordinance is adopted, it will be recorded in Seminole County Land Records and with the Florida Department of Revenue.

STEP VII. Implement Service/Improvement

Following adoption of the Ordinance, the power company will be advised to prepare agreements specifying the number and type of poles/lights to be installed, those that are already installed, and any poles to be removed (if applicable) in each MSBU. The power company will also submit the final lighting design (engineering) plan for MSBU review. This information will be returned to the MSBU Program by the power company for review and confirmation. The MSBU Program and County Attorney's Office will review the agreements for accuracy. Following this review, the MSBU Program will request BCC or County Manager approval for agreement execution. Upon execution of the agreements, the power company will be requested to begin installation. Installation is targeted to be completed on or before October 1 or as soon as possible thereafter. The MSBU Program will be in close contact with community liaison(s) and the power company as project work is completed.

STEP VIII. Assessment & Operation Management

Assessments are equitably allocated to all benefiting parcel owners as defined in the governing ordinance. For typical residential areas, the costs are allocated on a per parcel basis. For multi-family, commercial and developer's property, please contact the MSBU Program or refer to the Ordinance on-line for additional details. The on-line address is: http://www.seminolecountyfl.gov/fs/pdf/csl_08.pdf.

Beginning with the first available tax year, annual assessments will be levied by the BCC, placed on the property tax bill and collected by the Tax Collector of Seminole County in the same manner as all other county property taxes and assessments. Assessment for on-going improvements/services subject to annual rate variation will be included on the property tax bill the first available tax year following creation of an MSBU. Property taxes are due annually by March 31. Early payment discounts associated with property taxes apply to MSBU assessments.

An open assessment is considered as a lien against a property. The lien for variable rate MSBU assessments, such as street lighting, is satisfied annually when a property

STEP VIII. Assessment & Operation Management (continued)

tax bill is paid. A lien associated with a fixed term assessment (installation cost) is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is processed when a fixed term assessment is paid in full; a lien satisfaction document is not required or processed when variable rate assessment is paid. Assessments for fixed term projects may be paid in full at any time following final rate confirmation. For additional information regarding pay-off balance or the process of lien satisfaction documents, please contact the MSBU Program.

Separate accounts are maintained for each MSBU. All assessments collected for each MSBU will be exclusively allocated for expenditures incurred only for that specific MSBU. For ongoing MSBUs, the assessment rate varies from year to year and includes installation costs (if applicable), one (1) year's utility energy usage costs, and rental/maintenance of lights/poles. Funding also includes provisions for administration of the MSBU and ensuring reserve funds for future work and operating contingency. Operating budgets are prepared annually. Assessment rates are established by BCC resolution. Assessment amounts comply with guidelines of the MSBU Program and any specific parameters noted in the governing ordinance. The assessment for a forthcoming tax bill is posted on the MSBU Program website by August 1.

Additional Information (after MSBU is established)

Maintenance and Repairs

The street lighting equipment provided through the MSBU Program is owned and maintained by local power companies, with Seminole County renting the lights/poles. For minor repairs, residents are encouraged to call the power company to open a repair order. Before calling, it is helpful to have the address of the pole location and pole number (located on a metal plate on the pole at eye level) to provide to the power company's customer service representative.

Florida Power and Light Corporation (www.fpl.com) 800-226-3545
Progress Energy (www.progress-energy.com) 407-629-1010

For major repairs such as a badly damaged pole or paint, coordinating assistance is available from the MSBU Program. Insert the following on-line address for the MSBU Program website: <http://www.seminolecountyfl.gov/fs/msbu/msbustservp.asp> or call MSBU at 407-665-7178.

Equipment Modifications

Modifications to equipment associated with an existing MSBU are defined as either “essential” or “elective”.

Essential changes are defined as modifications which are necessary to preserve public safety. These essential modifications may be made without formal application when the modification is deemed safety related, supported by lighting engineers, and within the budgetary parameters of the MSBU per the Administrative Code guidelines (Section 22.10 [PDF of guidelines]). However, if the essential modification results in an assessment increase of 20% or greater, then the application and petition process must be undertaken with a resulting 55% or higher favorable response.

Elective changes occur if residents request modifications for non-essential purposes (e.g., providing an aesthetic appearance for a streetscape). Formal application is required for elective modifications and requires 55% or higher favorable response

Dissolution of MSBU

The authorized MSBU for street lighting improvements will continue indefinitely or until such time as an application is received to dissolve the MSBU. The process to dissolve an MSBU which was established by ordinance at a public hearing is similar to the creation process and requires a 55% community support, followed by public hearing. Application with designated fee is required.



Frequently Asked Questions

Where do I obtain detailed information? To obtain detailed information, please contact the Seminole County MSBU Program at 1301 East 2nd Street, Sanford, FL 32771 or go on-line to <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.asp>. or call 407-665-7168.

What do the letters MSBU represent? Municipal Services Benefit Unit. An MSBU is an assessment district authorized by Florida Statute 125.01 to provide funding for improvements and/or services benefiting a specific group of properties.

What type of property is eligible to participate in an MSBU? Most Seminole County MSBUs are associated with residential properties; however, certain commercial areas may also qualify.

What is the procedure to start the MSBU process? The steps are detailed in an "MSBU Application Packet" available from the MSBU Program upon request. The basic steps include: (1) Application, (2) Project analysis & preparation of cost estimate, (3) Petition distribution to determine level of community support, (4) Establishing a governing Ordinance, (5) Project implementation, and (6) Assessment.

How does the MSBU Program determine level of community support for establishing an MSBU? After an application is received, reviewed and accepted by the MSBU Program, the MSBU Program will create a petition for improvement document. The petition contains details of proposed project and MSBU. There are provisions on the petition document where owners indicate whether they are in support of or opposed to creating the proposed MSBU. The owner is to identify their preference, sign and return the document to the MSBU Program office or to designated community liaison(s). Level of support will be determined by the MSBU Program according to response indicated on returned petition documents. Petition documents not returned to the MSBU Program will be tallied as an opposed response.

How does the petition get distributed? The MSBU Program will mail the petition document to owner of record for each benefiting parcel identified for inclusion in the MSBU boundaries. The petition document is to be reviewed and signed by property owner(s).

Can I change my response after it has been submitted? A petition document should be submitted after the owner has evaluated the project proposal and determined their response. The owner, however, may submit a replacement petition providing it is received in the MSBU Program office within the submittal deadline for the petition process. No petitions will be accepted after the deadline has passed. Petitions may not be replaced or withdrawn after the response deadline has expired.

Frequently Asked Questions (continued)

Can the petition deadline be adjusted? The petition deadline is monitored and controlled by the MSBU Program. Petition documents are typically in distribution for a 30-day time period. An extension is granted when community support is uncertain due to non-returned petition documents. The deadline and provisions for extension will be noted on the petition document. The deadline may be extended according to the noted provisions. Up to two extensions, each limited to 2 additional weeks are typically granted. Deadline extension must be requested by the applicant/liaison and approved by the MSBU Program prior to expiration of the existing deadline. Deadline extensions will be posted to the MSBU Program website.

Will the results of the petition be communicated? The results of the petition process will be posted to the MSBU Program website. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the continued activities. If support is deemed insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

Do property owners opposing an MSBU get assessed if an MSBU is created? In most circumstances, all properties (whether "For" or "Opposed" during the petition improvement process) are assessed equitably for the cost of providing the improvement. In the case of water and/or sewer line extension projects, only the property owners agreeing to participation will be assessed. In such circumstances, non-participating parcels are denied connection eligibility to the resulting water/sewer service lines. With water service line projects, installation of fire flow & fire hydrants are mandatory. In such situations, all parcels share in the expense of the fire flow system; while water service costs participation remain optional. The governing ordinance will include a listing of the participating properties and the respective improvement for which the property will be assessed. Once the ordinance is adopted by the BCC, participation in the cost share becomes mandatory as per the directives of the ordinance.

When will a public hearing be held and who may attend? Notice of the public hearing will be mailed to the owner of record for all properties included in the boundaries of the proposed MSBU. Notice will be posted in a local newspaper, as well. Any member of the public may attend the Public Hearing.

When do I start paying the assessment? Assessment for on-going improvements/services subject to annual rate variation will be included on the property tax bill in the first available tax year following creation of the MSBU. Assessment for projects that involve fixed term financing will be included on the property tax bill for the first available tax roll following project completion. Assessments for fixed term projects may be paid in full at any time following final rate resolution. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

Frequently Asked Questions (continued)

Since there is a lien on my property, when and how is the lien satisfied? The lien for variable rate MSBUs, such as street lighting and aquatic weed control is satisfied annually when the property tax bill is paid. A lien associated with a fixed term assessment is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is processed when a fixed term assessment is paid in full; a lien satisfaction document is not required or processed when variable rate assessment is paid.

May the MSBU be terminated at a future date? The process to dissolve an established MSBU is similar to the creation process - application, petitioning, 55% majority support, a public hearing, and BCC authorization. MSBUs that receive supplemental financial support from county funding may have additional restrictions that mandate the minimum duration of existence for the MSBU. If/when an MSBU is dissolved, the participating parcels will be assessed for closure costs, contractual obligations, and/or other unpaid expenses.

What level of support is required? A 65% majority of affected benefiting parcel property owners must indicate their support for establishing the proposed MSBU for all project types excluding street lighting; street lighting requires a 55% majority.

When are the annual needs and assessment cost determined? Power companies provide notices to the MSBU Program of rate increases. Any requested and approved upgrades or changes to the street lighting MSBU will also be included in annual assessments. The assessment for the forthcoming tax bill is posted on the MSBU Program website by August 1.2

Can I upgrade or add a light to an existing street lighting MSBU in the future? Requests to modify existing street lighting will be defined by the MSBU Program as either "essential" or "elective". Essential modifications are classified as safety related and may be implemented by the MSBU program at any time providing the resulting assessment does not increase more than 20%. If the increase is greater than 20%, the modification will be addressed through the application and petition process with at least 55% community support. Elective modifications are not deemed safety related and will be accommodated via the application and petition process with at least 55% community support.

How are locations of the street light poles determined? Street light installation plans are engineered by the power companies to provide optimum adequate nighttime lighting for enhanced street safety. Lights/poles are spaced accordingly along the street to meet those safety guidelines and in accordance with Illuminating Engineering Standards (IES).



Application Fee Schedule

(Excerpt from Seminole County Administrative Code 20.37)

Aquatic Weed Control¹

\$ 550.00	Application Fee - Impaired/Corrective Services
\$ 450.00	Application Fee - Maintenance of existing conditions/under contract

Lake Restoration¹ or Retention Pond Renovation¹

\$ 550.00	Application Fee - Impaired/Corrective Services
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Road Paving & Drainage²

\$ 650.00	Application Fee - Rough cost estimate and coordination of preliminary engineering
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Street Lighting

\$ 150.00	Application Fee - MSBU request involving single support source
\$ 150.00	Application Fee - MSBU request involving of 25 or fewer properties.
\$ 250.00	Application Fee - MSBU request involving greater than 25 properties.
\$ 150.00	Application Fee - Upgrade request involving 25 or fewer properties.
\$ 250.00	Application Fee - Upgrade request involving greater than 25 properties.

Wall Reconstruction

\$ 550.00	Application Fee - Single easement ownership; Construction Only
\$ 750.00	Application Fee - Multiple easement ownership; Construction Only
\$1,000.00	Application Fee - Single easement ownership; Pre-Paid Design plus Construction
\$1,250.00	Application Fee - Multiple easement ownership; Pre-Paid Design plus Construction

Water and/or Sewer²

\$ 550.00	Application Fee - Water or Sewer
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Dissolution Application

\$ 150.00 ⁴	Application Fee - Distribution of Petition
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All Project Types - Reactivation & Redistribution of Petition

\$ 150.00 ⁴	Application Fee - Reactivation & Redistribution of Petition
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1 The MSBU application review process may require project analysis involving consultant services to determine scope of services and feasibility of success. The need for analysis will be determined prior to application and a price quote for analysis fee will be obtained at time of application. Prepayment for analysis costs will be due from applicant prior to scheduling the analysis related activities.

2 The MSBU application process requires a preliminary engineering report. A price quote for preliminary engineering will be obtained at time of application. Prepayment for the preliminary engineering report will be due from applicant prior to scheduling report related activities.

3 The application fee includes preparation of leasehold/easement legal documents required in conjunction with application process.

4 In addition to the stated application fee, the applicant will be required to provide prepayment for the mailing expenses associated with secondary distribution of a petition for same or similar project.

MSBU Glossary



ADMINISTRATIVE FEE	The reimbursement of costs including, but not limited to, costs associated with personnel, forms, supplies, data processing, computer equipment, postage, pro rata insurance premiums, and programming.
BID	Offer to perform contract for work & labor or supplying materials or goods at specified price. Usually more than one bid sought for contract.
BOARD OF COUNTY COMMISSIONERS (BCC)	Governing body of County composed of five members serving staggered terms of 4 years. There is one Commissioner for each of five County Commission districts. Elections occur on county-wide basis.
CADASTRAL	Pertaining to a public record, survey, or map of the value, extent, and ownership of land as a basis of taxation.
CONSOLIDATED STREET LIGHTING ORDINANCE	Article to rectify and amend consolidated street lighting districts within specified areas of the unincorporated territories of Seminole County.
CONTRACTOR	One who contracts to do work for another to procure the services, or furnishes same to accomplish the desired result.
CULVERT	A drain pipe or masonry structure under a road or embankment.
DISTRICT	The territorial areas into which a county is divided for judicial, political, electoral, or administrative purposes.
DISTRICT BOUNDARY	The outline of a geographical area.
DRAINAGE	Conveying water from one place to another to dry the former and prevent water from accumulating.
EASEMENT	A limited right of use over the property of another, such as any strip of land legally dedicated or conveyed for public or other private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.
FINAL ENGINEERING REPORT	A written report prepared by a licensed engineer describing the project background, findings, assumptions, permit recommendations, and probable costs to complete a specific MSBU project.
HERBICIDE (AQUATIC)	A selective weed killer that is not injurious to crop plants.
INTEREST EXPENSE	Interest charged on funds that are borrowed.

LIAISON

A designated individual within a community who establishes communication (between the community and County) and communicates mutual understanding.

**LIEN**

A claim or charge on property of another for payment of some debt, obligation, or duty.

LINEAR FOOT

A measurement equal to twelve inches.

**MUNICIPAL SERVICE
BENEFIT UNIT-MSBU**

A special assessment district authorized by Florida Statute 125.01 to provide for improvements and/or services to a specifically defined area of the County and financed by a special assessment on only those citizens receiving the benefits of those improvements of services.

MUNICIPALITY

Political unit usually having powers of self government. (7 incorporated cities (municipalities) in Seminole County: Altamonte Spgs, Casselberry, Lk Mary, Longwood, Oviedo, Sanford, Winter Springs.

**NON-AD VALOREM
ASSESSMENT**

The assessments which are not based upon mileage and which can become a lien against a property.

OPERATING CONTINGENCY

A budgetary allotment set aside for emergencies or unforeseen expenditures not otherwise provided for in the budget.

ORDINANCE

A formal legislative enactment by the governing board of a municipality or other political subdivision.

PETITION

A formal written request to a governmental authority, or a form on which signatures are collected to demonstrate support of a project.

PLATTED

A map of a specific area of land usually a subdivision that is mapped by a licensed surveyor showing lot and other boundary lines.

**PRELIMINARY ENGINEERING
REPORT**

A written report prepared by a licensed engineer describing the anticipated conditions, requirements, methods, permits, and estimated costs to be addressed to complete a specific project.

PRIVATE ROAD

A traveled route belonging to private individuals.

PROJECT MANAGER

A person whose responsibilities include managing the activities, resources, and scheduling of a project.

PUBLIC HEARING

A public meeting of the BCC.

**PUBLIC/PRIVATE LAKE OR
WATERWAY**

A body of water as defined in Florida Statutes 253.12.

PUBLIC ROAD

A traveled route used by the general public.

RECLAIMED WATER

Domestic Waste Water, made suitable for direct or controlled use through treatment.

**RECORDED PLAT**

A map of a specific area of land usually a subdivision that is mapped by a licensed surveyor showing lot and other boundary lines and recorded in public land records by the Clerk of Court.

RESERVE

A specified amount of funds set aside for the purpose of meeting future or unanticipated expenses.

RESOLUTION

A special or temporary order of a legislative body with less legal formality than an ordinance or statute. Resolutions applying to MSBUs identify final MSBU district boundaries and special assessments.

RETENTION POND

A storm water treatment facility designed and constructed by specific design to retain volumes of storm water for a defined basin area.

RIGHT OF WAY

Land dedicated, deeded, used or to be used, for a street, alley, walkway, boulevard, public utilities, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies.

SATISFACTION OF LIEN

The fulfillment of an obligation, debt, or duty that releases the claim or charge that is held on property.

SCOPE OF SERVICE/WORK

The required work effort, divided into tasks, to complete a specific project. The specific set of improvement requested.

SEWER LINE

The connections used to transport water-carried wastes from residences, business buildings, institutions, industrial establishments, any and all other customers facilities.

SWALE

A depression lower than the surrounding area used to intercept storm water from a roadway or adjacent areas.

TAX COLLECTOR FEE

The commissions for collecting taxes assessed or levied by County.

TAX ROLL

The rolls (of Seminole County property owner) prepared by the Property Appraiser and certified to the Tax Collector for collection.

UNINCORPORATED AREA

Portion of County which is not within boundaries of any municipality.

UNPLATTED LAND

Land that is not located in a platted subdivision. (See Platted)

WATER LINE (Potable)

Water line or main that transmits or distributes water that (a) has been treated by a facility permitted by the Florida Department of Environmental Protection and (b) meets the requirements of the Florida Safe Drinking Water Act.



Application for Establishing an MSBU For Street Lighting

Project Type: ☐ New MSBU Street Lighting Equipment Installation ☐ Existing MSBU Street Lighting Equipment Upgrade
☐ Transfer of Existing Street Lighting Equipment

Indicate Attachments: ☐ Application Fee ☐ Location Map New Equipment ☐ Installation Fee
☐ Equipment Requested ☐ Map of Existing Equipment ☐ Utility Bill
☐ Plat Map ☐ Other: _____

Subdivision Name: _____ Parcel ID/Reference: _____

Primary Liaison Information:

Secondary Liaison Information:

Name _____

Address _____

Property Address _____
 (If different from mailing address)

Telephone _____

Email _____

Supporting Information:

1. What is Applicant Status?

- ☐ Property Owner
☐ Property Management Company or Home Owners Association
☐ Developer/Builder

2. How is the Proposed Street Lighting MSBU documented?

- ☐ Platted in Plat Book No. _____, Page(s) No. _____ (provide copy of Plat)
☐ Part of a subdivided (platted) area; Plat Book No. _____, Page(s) No. _____ (provide copy of Plat)
☐ Not Platted (Provide metes and bounds legal description OR parcel identification number(s) OR a Seminole County Section map with the proposed district outlined.)

3. What is the current status of street lights in proposed MSBU?

- ☐ There is no installation at this time. This is our/my initial application.
☐ Have been installed by _____ account no. _____
☐ Will be installed on _____ by _____



Application for Establishing an MSBU Page 2

4. If scheduled, what percentage of the benefiting property owners would likely attend meetings purposed at review of street lighting options, goals, and financial issues? _____%

5. What is the Installation Cost/Financing option for lighting equipment?
 - ☐ MSBU financing for installation cost is requested

Requested payback period: ☐ 1 yr ☐ 2 yr ☐ 3 yr
 - ☐ MSBU financing is not required for installation cost because:
 - ☐ No installation cost – lights installed prior to establishing MSBU
 - ☐ Developer/contractor to pay power company for installation
 - ☐ Applicant/community to submit payment for installation cost

6. What is the lighting equipment choice?
 - ☐ Pole Description: _____
 - ☐ Light fixture: _____ KWH _____
 - ☐ To be determined after application is accepted

7. What is the name of the power company servicing the area?
 - ☐ Florida Power and Light
 - ☐ Progress Energy

8. Please provide any additional comments here:

I have reviewed the information contained in the application packet. I understand that community support is essential to the establishment of an MSBU. I understand and accept that the application fee and all other prepayment requirements are deemed non-refundable and that any applicable credit provisions for such payments will not be available until such time as an MSBU is established, the project is completed and assessments are collected. I understand that the establishment of an MSBU is a discretionary decision of the Seminole County Board of County Commissioners as subject to state and local guidelines.

Applicant Name: _____ Email: _____ Phone: _____

Applicant Signature: _____ Date: _____

Submit this application together with the non-refundable application fee to:

Seminole County MSBU Program, 1301 East 2nd Street, Sanford, FL 32771